

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 6, 7, 11, 12, 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott (US 6,320,505) and further in view of Suzuki (US 6,317,045).

For claims 1 and 11, Scott discloses an apparatus and method for notification that equipment having at least one function is due for return to a home station, comprising: a reminder alarm for notification that the equipment is due for return to the home station (col 1, Ins 4-8), said reminder alarm having a default timeout configuration (col 6, Ins 4-9); a timeout device (Fig. 9, items 6; Fig. 6, item 26); a control device to optionally configures the reminder alarm timeout configuration at the home station (col 5, Ins 40-55), and arm the timeout device with the configured timeout, and when the timeout expires, generate a reminder alarm to return the equipment to the home station, said alarm generated according to the timeout configuration (col 3, Ins 17-27; col 6, Ins 31-40 and 55-67; col 6, Ins 1-28). While Scott discloses a reminder alarm, the reminder alarm is neither integral with the equipment nor emitted from the equipment. Suzuki, on the other hand, discloses both a reminder alarm integral with ^{& emitted from} equipment ~~and emitted from the equipment~~ (col 4 Ins 26-45; Fig. 2, item 21; col 5, Ins 34-38; col 7, Ins 6-17 and

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64-67). It would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the equipment disclosed by Scott to include an alarm on equipment to be rented/returned, as disclosed by Suzuki, to help an individual meet the deadline to return loaned equipment so the individual does not incur a late fee.

For claims 2 and 12, Scott discloses the control device is further configured to upon return of the equipment to the home station, resetting the reminder alarm timeout configuration to said default timeout configuration (col 5, lns 45-52 – movement from a first position to a second position).

For claims 4 and 14, Scott discloses the reminder alarm timeout configuration further comprises a default reminder alarm progression; the control device is further configured to: optionally configure the progression for said reminder alarm, and generating a sequence of progressive reminder alarms according to said configured progression (col 7, lns 3-17).

For claims 6 and 16, Scott discloses said control devices are further configured to generate the reminder alarm as at least one repetition of at least one of an audio tone, an audio message, a visual signal (col 6, lns 31-40; col 7, lns 9-15), and a video text message.

For claims 7 and 17, Scott discloses the control device is further configured to: provide a default reminder alarm progression; optionally configure the progression for said reminder alarm; and generate the at least one repetition as a sequence of progressive reminder alarms according to said configured progression (col 6, lns 31-40; col 7, lns 3-15).

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3. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott (US 6,320,505) and Suzuki (US 6,317,045), and further in view of Scop et al. (US 5,283,546).

Scott does not disable a function of equipment when it is not essential. However, Scop discloses disable a function of equipment when it is not essential (Fig. 1A, item 109; col 2, lns 28-35). It would have been obvious to disable a function of equipment when it is not essential in order to conserve power.

4. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott (US 6,320,505) and Suzuki (US 6,317,045) and further in view of Shankarappa (US 5,877,676).

Scott does not disclose the set progression to be one of an incremental increase and random variation in at least one of the intensity of the reminder alarm and frequency of the reminder alarm. However, Shankarappa discloses set progression to be one of an incremental increase and random variation in at least one of the intensity of a reminder alarm and frequency of the reminder alarm (Fig. 1, item 26; col 4, lns 31-45). It would have been obvious to set the progression to be an increase in intensity or frequency of an alarm so that a person hearing the alarm can estimate an amount of time during which the alarm has been sounding based on the pitch of the alarm.

5. Claims 8, 9, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott (US 6,320,505) and Suzuki (US 6,317,045), and further in view of Maloney (US 2005/0156740).

For claims 8 and 18, Scott discloses resetting a reminder alarm, but does not disclose said home station is a touchpad input device that accepts a password input via the touchpad, and said control device is further configured to reset said reminder alarm to said default timeout configuration on input of a predetermined password via the touchpad. Maloney, on the other hand, discloses a touchpad input device that accepts a password input via the touchpad, and a control device is further configured to reset a reminder alarm to a default timeout configuration on input of a predetermined password via the touchpad (parags 006; 0017-0019; 0057; 0063). It would have been obvious to reset an alarm based on input of a predetermined password in order to generate a record of a rented item by a specific individual.

For claims 9 and 19, Scott discloses said home station is a mechanical reset device that resets the reminder alarm when mechanically engaged with said reminder alarm (col 3, lns 16-26; col 5, lns 37-55). Scott, however, does not disclose a mechanical key and key controller that resets said reminder alarm to said default timeout configuration on mechanical engagement with the mechanical key reset device. Maloney, however, discloses a mechanical key and key controller that resets said reminder alarm to said default timeout configuration on mechanical engagement with the mechanical key reset device (parags 0037, 0038, 0044, 0048). It would have been obvious to disclose a mechanical key reset device with a mechanical key controller in order to keep track of rented/returned items.

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6. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott (US 6,320,505) and Suzuki (US 6,317,045), and further in view of Bormaster (US 2002/0158751).

Scott discloses a home station, but the home station does not include one of an infrared or RF transmitter. However, Bormaster discloses a home station is one of an infrared transmitter and a radio frequency transmitter, having a given range and that continually transmits a reminder alarm reset signal (parag 0008); and said reminder alarm further comprises a corresponding one of an infrared sensor and a radio frequency receiver that resets said reminder alarm to said default timeout configuration on receipt of said transmitted reset signal, wherein said reminder alarm is continually reset whenever said equipment (parag 0016) is within the given range of the home station (parag 0020). In view of the two teachings, it would have been obvious to implement the home station with an RF transmitter and receiver where an alarm is continually reset whenever said equipment is within the given range of the home station so that equipment is not flagged as being missing, but returned to a particular area.

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 11 have been considered but are moot in view of the new ground(s) of rejection. Refer to Applicant's remarks on pages 8 and 9. While Scott discloses a reminder alarm for equipment to be rented, Scott does not disclose an alarm that is integral with the equipment to be rented.

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Suzuki specifically discloses an alarm integral with equipment to be rented – see the rejection of claims 1 and 11.

Reference Applicant's remarks on page 10, regarding claims 3 and 13. The Applicant contends that there is no reason to combine Scott with Scop since one would not combine the teaching of a roadside emergency call box with that of a VCR cassette holder, except for the claimed invention. The examiner, however, does not combine every single feature of a call box with a VCR cassette, but uses the Scop reference to teach power conservation since a portion of circuitry that is unnecessary is disabled after a time-out period. The combination of Scott and Shop is reasonable since Scott discloses powering equipment, but does not include a power conservation means; Scott's equipment would benefit by modifying the power circuits to include a circuit which includes a power conservation mode.

Reference Applicant's remarks on page 10, regarding claims 5 and 15. The Applicant contends that there is no reason to combine Scott with Shankarappa since there is no reason why a variably sounding alarm (disclosed by Shankarappa) which audibly indicates the number of seconds the alarm has been sounding should be combined with the Scott device. The claim limitations of 5 and 15 are directed towards an increase and random variation in alarm intensity. While the Scott reference discloses an alarm, the reference does not vary and intensity of an alarm. Shankarappa discloses the feature of varying alarm intensity to further emphasize an alarming condition. Since both Scott and Shankarappa disclose an alarming condition, the combination is reasonable.

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Reference Applicant's remarks on page 11, regarding claims 8, 9, 18, and 19. The Applicant contends that there is no reason to combine Scott with Maloney since there is no reason for combining the vehicle key storage box of Maloney with the cassette holder of Scott. Scott and Maloney are both concerned with keeping track of objects. While Scott discloses a rental/return system for keeping track of video cassettes, Maloney discloses keeping track of tagged objects such as keys. Scott would benefit by using the password and touchpad system, disclosed by Maloney, located at base station 8 (Figure 5) in order to associate a user with a video cassette. Maloney teaches the same concept of associating ^{an article and system} except a key is associated with a user. For these reasons, the combination of Scott and Maloney is reasonable.

Reference Applicant's remarks on pages 11 and 12, regarding claims 10 and 20. The Applicant contends that there is no reason to combine Scott with Bormaster since an inventory system that uses RFID tags is not a reasonable combination with the cassette holder of Scott. While Scott discloses a rental/return system for keeping track of video cassettes, Bormaster discloses keeping track of inventory via RFID tags. Scott would benefit by including RFID tags on the video cassettes in order to track and locate video cassettes. For these reasons, the combination of Scott and Maloney is reasonable.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Mehmood whose telephone number is (571) 272.2976. The examiner can normally be reached 8:00-4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. George Bugg can be reached at (571) 272.2998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273.8300 for regular and after final communications.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272.2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Mehmood

February 26, 2008

/George A Bugg/

Acting SPE for AU 2612